



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hans SIGRIST et al.

Group Art Unit: 1634 ✓

Serial No.: 09/606,040 ✓

Examiner: Arun Chakrabarti

Filed: June 29, 2000

For: PROCESS FOR THE MODIFICATION OF SURFACES

REPLY TO NOTICE OF NON-COMPLIANCE

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Appellants reply to the Notice of Non-Compliance With The Requirements of 37 CFR 1.192(c) mailed July 1, 2003 as follows.

It was asserted that appellants had not complied with the requirements of 37 CFR 1.192(c)(5). Appellants submit with respect that the Brief on Appeal filed May 13, 2003 complies with 37 CFR 1.192(c)(5) in the portion of the Brief entitled "Summary of Invention". Enclosed is a highlighted copy of that portion of the Brief showing where the specification and drawings described the claimed subject matter.

Reconsideration of the matter is earnestly solicited.

Serial No. 09/606,040

If the Examiner believes additional information is required,  
he is asked to contact the undersigned.

July 14, 2003  
Date

CAW/ch

Enclosure:


Highlighted Portion of Brief

Attorney Docket No.: CSEM:060

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Respectfully submitted,

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PLEASE ACCEPT THIS AS  
AUTHORIZATION TO DEBIT  
OR CREDIT FEES TO  
DEP. ACCT. 16-0331  
PARKHURST & WENDEL



before the Board while claims 12 to 15 stand withdrawn from consideration.

#### IV. STATUS OF AMENDMENTS

A Request for Reconsideration was filed in reply to the Final Rejection. There is no requested change to the claims pending entry or review. The claims on appeal in Appendix A to this Brief are the claims that were finally rejected.

#### V. SUMMARY OF INVENTION

The present invention is directed to a process that facilitates preparation of a carbohydrate structure on a material (usually solid; see the first two paragraphs on page 6) surface by photochemically fixing at least a compound of the formula (1a) shown in Fig. 1 wherein X is a mono- or oligo-saccharide radical or photochemically fixing a related compound wherein ZH groups are subsequently converted to ZX moieties wherein X is a mono- or oligo-saccharide radical and then enzymatically attaching at least one further carbohydrate to the X radicals of the modified surface obtained in the first step of the process. Thus, the second step of the process involves attaching carbohydrates enzymatically to

the mono-or oligo-saccharide radical(s) fixed on the material surface.

The process is particularly effective in permitting a variety of carbohydrates to be attached to a solid material surface. The invention is especially useful in treating biomedical articles or biosensors to provide modified surfaces thereon; see page 1, first two paragraphs.

#### VI. ISSUE

The sole issue for consideration by the Board is whether the subject matter of claims 1 to 11 and 16 to 20 patentably defines in the sense of 35 USC 103 over Miyasaka et al. U.S. 5,154,808 in view of Mazid et al. U.S. 5,308,460.

#### VII. GROUPING OF CLAIMS

For purposes of the present appeal, claims 1 to 11 and 16 to 20 may be considered as a group.